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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ROCHELLE A. RUFFIN,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Deputy
Commissioner of Social Security for
14 Operations,

15 Defendant.

CASE NO. 2:17-CV-00602-JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES AND
EXPENSES

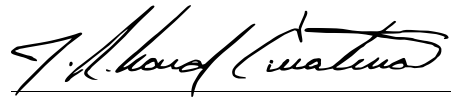
16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
18 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).
19 This matter is before the Court on plaintiff's Stipulated Motion for Attorney Fees Pursuant to
20 EAJA (*see* Dkt. 18).

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of
22 the parties (*see* Dkt. 18), the attorney declaration and time and expense itemizations (Dkt. 18,
23 Attachment 1), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of
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1 \$5,726.58 shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v.*
2 *Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Tha Win,
7 based on plaintiff's assignment of these amounts to plaintiff's attorney (*see* Dkt. 18, Attachment
8 3). If there is an offset, the remainder shall be made payable to plaintiff, based on the practice of
9 the Department of the Treasury (*see, e.g.,* Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for
10 EAJA fees shall be mailed to plaintiff's counsel, Tha Min, at 606 Maynard Avenue South, Suite
11 201, Seattle, WA 98104.

12 Dated this 30th day of May, 2018.

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14 J. Richard Creatura
15 United States Magistrate Judge
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